

Fw: Attention Elisha

From: Jay H (mci1830@yahoo.com)

To: fmpard@state.gov

Date: Monday, September 4, 2023 at 12:49 PM EDT

Dear Accounts Receivable Branch,

It seems to me that you can not help me further. Can you please confirm this? Or if you are still attempting to find help for me can you confirm this fact?

If I have exhausted help with this office please tell me directly so that I can try to find help elsewhere.

Please, reply to this email, even if it is to tell me you can not help me further. Else I am left wondering what is happening.

I thank you in advance for any response you can give me.

Kind regards,

Jay Hymas

----- Forwarded Message -----

From: Jay H <mci1830@yahoo.com>

To: FMPARD <fmpard@state.gov>

Sent: Tuesday, August 29, 2023 at 11:53:29 AM EDT

Subject: Fw: Attention Elisha

Dear Accounts Receivable Branch,

I wanted to follow-up and see if this office will be able to help me in regards to my prior email, i.e. is there any person or office I can speak with in regards to appealing the Department of State's denial of my passport renewal?

If no help can be offered to me I would appreciate if you could explicitly tell me that.

Thank you very much.

Kind regards,

Jay Hymas

----- Forwarded Message -----

From: Jay H <mci1830@yahoo.com>

To: FMPARD <fmpard@state.gov>

Sent: Thursday, August 24, 2023 at 01:46:58 PM EDT

Subject: Re: Attention Elisha

Thank you very much for the reply. Yes, that makes sense that your office only handles the debts and not the actual renewal of passports.

Exhibit D

I have called the number you reference many times and have spoken with probably 6 different individuals there, none of them could even direct me to your office, and I asked all of them about an office to address my passport denial but none of them could help me. I only found the Accounts Receivable Branch office by searching the internet for any State Department numbers I could find and then calling them. After many tries I eventually found an individual that had a number to this office.

Do you know of any office that might oversee declined passport renewals? If I could just get to some office that handles renewals then probably they would know what office would handle appeal or disputes for declines renewals.

I assume there must be a main office regarding all aspects of passports, if nothing else, I could start there.

Any information would be greatly appreciated.

Thank you again,

Jay Hymas

On Thursday, August 24, 2023 at 08:25:01 AM EDT, FMPARD <fmpard@state.gov> wrote:

Good Morning Mr. Hymas

Our department has no authority over whether you are issued a passport – we solely collect on debts referred to our office. We can only provide information as to whether the debt has been paid or not, which is usually what the passport agency uses to determine if one can be issued.

You can contact the National Passport Information Center at 1-877-487-2778 for more information on the passport process.

Regards,

Accounts Receivable Branch

Bureau of the Comptroller and Global Financial Services

U.S. Department of State

Phone: 800-521-2116

Fax: 843-260-2468

From: Jay H <mci1830@yahoo.com>
Sent: Thursday, August 24, 2023 7:57 AM
To: FMPARD <FMPARD@state.gov>
Subject: Fw: Attention Elisha

Dear Accounts Receivable Branch,

I would like to dispute/appeal the denial of my passport renewal as elaborated below.

Can you please explicitly (i.e. yes or no) tell me if the Department of State has a process to appeal/dispute denials of passport renewals? If so, can tell me the person or office that I need to contact to do this?

If there is no appeal/dispute process, you can make me aware of that fact I would be extremely grateful.

Kind regards,

Jay Hymas

----- Forwarded Message -----

From: Jay H <mci1830@yahoo.com>

To: FMPARD <fmpard@state.gov>

Sent: Tuesday, August 22, 2023 at 03:47:48 PM EDT

Subject: Re: Attention Elisha

Dear Accounts Receivable Branch,

Thank you for the explanation, I see I will need to deal directly with the Department of Treasury regarding the debt. I will complete that form and send that to them today hopefully. I appreciate you making me aware of that form.

Separately, regarding my passport denial, which seems to be a separate issue. Can you tell me, legally, why my passport renewal is being denied? As I have previously stated, it appears that the Department of State has a regulation (22 CFR 51.60 (a) (1)) to deny passports for individuals with "Repatriation Loans". i.e. 22 USC 2671 (b) (2) (B) but there is no regulation authorizing a hold on passports for individuals like me with "Evacuation Loans [Promissory notes]" i.e. 22 USC 2671 (b) (2) (A) (ii).

I would also point out that the Department of State's Foreign Affairs Manual also makes this distinction between "Repatriation Loans" and "Evacuation Loans" at 7 FAM 1860 Appendix D where it state: "22 USC 2671 (d) applies only to 'repatriation loans.' ... we do not treat evacuation loans as subject to those requirements."

I think this is an important and significant legal distinction that greatly impacts me. Being able to appeal/dispute this adverse determination against me is very significant for me, my travel plans are being greatly impacted. Again if I can not appeal/dispute the hold on my passport renewal I see no other option than having it resolved in Federal District Court, if all my administrative options have been closed.

If you can explicitly confirm I have no recourse for the denial of my passport renewal, if that is indeed the case, I would greatly appreciate it.

Thank you again.

Kind regards,

Jay Hymas

On Tuesday, August 22, 2023 at 02:04:15 PM EDT, FMPARD <fmpard@state.gov> wrote:

Good Afternoon

Due to the age of the debt, the option for an administrative review with the Department of State has expired (within 60 day of the debt being established on 8/4/2020). As per the Fair Debt collection practices, your debt was referred to Treasury in June 2021 after more than 120 days delinquent. Our office has no correspondence requesting a review, payment plan, suspension or returned mail.

Any and all disputes must be submitted to Treasury using the attached form, as their office is currently overseeing your outstanding debt. The passport hold cannot be removed until the debt is paid in full.

You can call them at 1-888-826-3127 for any further information on your outstanding debt and assistance filling out the form.

Regards,

Accounts Receivable Branch

Bureau of the Comptroller and Global Financial Services

U.S. Department of State

Phone: 800-521-2116

Fax: 843-260-2468

SENSITIVE BUT UNCLASSIFIED

From: Jay H <mci1830@yahoo.com>
Sent: Tuesday, August 22, 2023 12:27 PM
To: FMPARD <FMPARD@state.gov>
Subject: Fw: Attention Elisha

To whom it may concern:

I am attempting to find some help is resolving my alleged debt. Thus far I have not had much success.

At this point I am simply wanting to know if I have exhausted all of my administrative options to dispute/appeal the debt that the Department of State has attributed to me and the additional penalty of having my passport renewal denied.

Prior to filing a lawsuit to resolve this matter I believe I should exhaust all my option to address it directly with the Department of State.

I kindly and respectfully would ask if someone can tell me if I have exhausted all of my options with the Department of State to dispute this debt and the denial of my passport renewal. If there is an office, procedure or person I can still appeal to I would greatly appreciate being made aware of that option.

Please tell me yes or no and do not leave this very important question unanswered...please.

Thank you very much.

Kind regards,

Jay Hymas

----- Forwarded Message -----

From: Jay H <mci1830@yahoo.com>

To: fmppard@state.gov <fmppard@state.gov>

Sent: Friday, August 18, 2023 at 12:56:34 PM EDT

Subject: Attention Elisha

Dear Elisha,

My name is Jay Hymas, my document/account number is: 2012008040997

I was provided your name as the person handling my particular case when I called the general number. I am hoping you can help me with a rather urgent problem I have become aware of in an attempt to renew my passport.

Apparently the Department of State believes I have an unpaid "loan" from a repatriation flight I was on at the beginnings of the COVID pandemic in March of 2020. Please allow me to give some history:

BACKGROUND- The Wednesday before last (8/9) I had an in-person appointment at the Atlanta Passport Agency to renew my passport. After approximately 6 hours of waiting, I was told I could not renew my passport because of a Treasury "hold" preventing me from renewing my passport.

Two days later I was given a Department of Treasury telephone number to call. I called this number the Friday before last (8/11) and spoke with people in three different offices but none of them could tell me what the "hold" is regarding. The next Monday I called the number again and spoke with a person that told me the "hold" is actually a hold from the State Department itself regarding "travel expenses". The person I spoke with today directed me that I could "dispute" the issue by writing to the email address: incoming.dispute@fiscal.treasury.gov.

I sent an email to that address but I never received an acknowledgement or replay. Needing to travel internationally I have continued to try and find someone that can help me. Eventually after speaking with many people I have found you.

To resolve this issue I would like to dispute what has happened to me, mainly for too important reasons that I will explain below.

DISPUTE-

1) I dispute the denial of my passport renewal as no lawful basis exists for the denial of my passport.

The "hold" originates from the Department of State itself. However the Department's own regulations only allow for denial of a passport renewal for those who have received a loan by reason of

destitution under 22 CFR 51.60 (a) (1):

"The applicant is in default **on a loan** received from the United States under 22 U.S.C. 2671(b)(2)(B) for the repatriation of the applicant and, where applicable, the applicant's spouse, minor child(ren), and/or other immediate family members, from a foreign country (see 22 U.S.C. 2671(d))"

In my case I was repatriated to the United States from Ecuador in March 2020 not due to being "destitute" but rather due to the natural disaster of COVID-19. I did not take out a loan, nor was I in need of a loan as I had money. However, no commercial flights were available and only evacuation flights via the Department of State.

Therefore my return was under 22 USC 2671 (b) (2) (A) (ii) and not the section allowing for a passport denial of 22 USC 2671 (b) (2) (B). The one is a "loan" program for "destitute" people and the other are for those suffering from a natural disaster that is no cause of their own. Only the former is a legal basis for denial of a passport renewal and not the latter. Again, 22 CFR 51.60 (a) (1) only allows for a denial because of 22 USC 2671 (b) (2) (B) and not 22 USC 2671 (b) (2) (A) (ii), which is the applicable law in my particular case.

On this basis alone I believe my passport renewal should proceed unhindered and without further delay based on current law.

Additionally,

2) The second point of dispute is that the amount in question violates the law enacted by Congress.

Congress has allowed the Department of State to recover:

"except that no reimbursement under this clause shall be paid that is greater than the amount the person evacuated would have been charged for a **reasonable commercial air fare** immediately prior to the events giving rise to the evacuation" (22 USC 2671 (b) (2) (A) (ii))

In my case however the Department of State is seeking to extort over \$2500 from me when even at today's elevated airline prices a one-way ticket from Quito, Ecuador to Miami, Florida can be had for any day of the week with no advanced time for purchase for under \$200.

Therefore I request that my passport renewal be processed immediately so that the ongoing damage to my travel plans can be minimized as there is no legal basis for the unlawful "hold".

Additionally I request that the amount requested as a reimbursement be adjusted to reflect what is lawful, something at or under \$200.

I thank you for any help you can offer me in this matter and if there is a more formal process to dispute what has happened to me, if you would be so kind to make me aware of that process.

Sincerely,

Jay Hymas

[REDACTED]